

INDIAN AFFAIRS MANUAL

Part 18
Chapter 5

Regulatory Affairs and Collaborative Action
Directives System

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- 1.1 Purpose.** This chapter establishes the authorities and responsibilities for the Indian Affairs' (IA) Directives System. The Directives System is comprised of the policies and procedures documenting the functions under the authority of the Assistant Secretary-Indian Affairs (AS-IA). Directives provide a formal structure for developing and applying clear and consistent program and administrative policy, including the information necessary to protect the legal and financial rights of the Federal Government and of persons directly affected by the agency's activities.

Part 1, chapter 1 of the Indian Affairs Manual (IAM) (i.e., 1 IAM 1): *Indian Affairs Directives System – General* provides further details regarding the six types of directives that comprise the Directives System.

Additionally, the IA Office of Regulatory Affairs and Collaborative Action (RACA), which is responsible for managing the IA Directives System, provides detailed information and templates on its intranet website to assist those who develop/update policies and procedures for IA programs and activities: <http://inside.bia.gov/Org/AS-IA/ORM/DirectSys/index.htm>.

- 1.2 Scope.** Compliance with Federal and Departmental requirements for Directives Management applies to all programs under the authority of the AS-IA, including the offices under the AS-IA, the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE).
- 1.3 Policy.** Directives satisfy Federal requirements that require accurate and accessible documentation be available to staff and the public, and provide guidance to enable employees to perform their duties and responsibilities. It is the policy of IA to:
- A.** Comply with all applicable Federal laws and regulations and Departmental policies and procedures regarding Directives Management.
 - 1. Specifically, the Public Information section of the Administrative Procedures Act (5 U.S.C. 552) requires that the following information be made available to the public: descriptions of the organization, where and how information and decisions can be secured, what and how functions are performed, what requirements must be met to get benefits or service, and what procedures must be followed.
 - B.** Foster participation and collaboration amongst and within IA bureaus and offices to develop meaningful and effective IA operational policy, and ensure that it is communicated widely.
 - C.** Develop and maintain a strong operational and internal control foundation that facilitates compliance through effective regulations, policies, procedures, handbooks, memoranda, manuals, and other means.

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RACA utilizes the 'IA Policy Database' within the Data Tracking System (DTS) for routing all policies and directives to the appropriate offices for review and signing/final signature. Only after obtaining final signatory authority is the policy/directive considered current and final.

1.4 Authority.

A. Statutes.

1. Federal Records Act (44 U.S.C. 3101)
2. Administrative Procedures Act (5 U.S.C. 552)
3. Section 508 of the Rehabilitation Act, 29 U.S.C. § 794d. 1998

B. Regulations.

1. Provisions of the Federal Information Resources Management regulations (41 CFR 201)

C. Guidance and Assistance.

1. 381 Departmental Manual (DM) 1
2. Indian Affairs Directives Handbook (1 IAM-H)

1.5 Responsibilities.

A. **AS-IA** is responsible for ensuring that IA establishes appropriate organizational arrangements and procedures, with adequate staffing and resources, to comply with Federal and Departmental regulations, requirements, policies, and procedures.

B. **Deputy Assistant Secretaries; and Directors, BIA and BIE** are responsible for:

- 1) Ensuring IA processes and resources are in place to facilitate cooperation and responsiveness to policy and procedure development;
- 2) Ensuring policy and procedures for functions within their authority are accurate and up-to-date; and
- 3) Communicating with and managing Regional Director participation in policy development as needed, including ensuring policy is carried out as documented.

C. **Director, RACA** is responsible for the overall management of the IA Directives System. RACA provides guidance, assistance/review, and communications regarding the development and publication of the Directives components.

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Specifically, RACA tracks all Directives development; assigns release numbers and document identification numbers; reviews documents for format and proper delegation of authority; coordinates recommended changes/corrections with the authoring office; and maintains all hard copy, final documents for records management purposes.

Once the document is final and signed off by the appropriate officials, it is returned to RACA to: stamp the document with date of issue (date of approving official signature); provide a final review and conversion into the proper document publication format; enter it into the RACA records management system; publish it to the Internet; and communicate with IA offices accordingly regarding the document's publication. In accordance with the Administrative Procedure Act, RACA ensures all IA operating policy is available to the public and maintains a website of all IA Directives, including historical documentation whenever available.

- D. Indian Affairs Offices** (including Offices under the AS-IA, Central Office, Regional and Agency Offices) are responsible for maintaining current policies, revising existing Directives, and removing outdated information under the components of the Directives System within their area of authority.

The authoring office is responsible for developing or updating chapter, memoranda, or handbook content; circulating drafts for internal review and comment; making revisions in response to comments; determining who should be included in the surnaming process in consultation with RACA; and ensuring the material is appropriately distributed after publication. The authoring office should work with RACA to coordinate the development and approval of its Directives.

The authoring office is viewed as the 'subject matter expert' regarding what and how functions are performed; where and how information and decisions are secured; what requirements must be met to get benefits or service; and/or what procedures must be followed. Therefore, the authoring office's responsibility for content improves the ability to document the functions of IA programs and meet the regulatory requirements of the Public Information section of the Administrative Procedure Act.

Approval



Lawrence S. Roberts
Principal Deputy Assistant Secretary – Indian Affairs

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Date